

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JUWAN DEERING et al.,

Plaintiffs,

Case No. 22-cv-11809

v.

HON. MARK A. GOLDSMITH

OAKLAND COUNTY et al.,

Defendants.

**ORDER GRANTING MOTION FOR DEFAULT JUDGMENT AS TO DEFENDANTS
RAYMOND JEFFRIES AND RALPH McMORRIS (Dkt. 86)**

Before the Court is a motion for default judgment as to Defendants Raymond Jeffries and Ralph McMorris filed by Plaintiff Juwan Deering (Dkt. 86). The Court grants the motion but reserves judgment on the issue of damages.

Under Federal Rule of Civil Procedure 55, a court may enter a judgment against a defendant who has failed to plead or defend against an action. To obtain a judgment by default, the party moving for judgment must first seek a clerk's entry of default under Rule 55(a). See Devlin v. Kalm, 493 F. App'x 678, 686 (6th Cir. 2012). Once the clerk's office enters a default, the well-pleaded factual allegations in the complaint are deemed admitted. Ford Motor Co. v. Cross, 441 F. Supp. 2d 837, 846 (E.D. Mich. 2006); see also Fed. R. Civ. P. 8(b)(6) ("An allegation—other than one relating to the amount of damages—is admitted if a responsive pleading is required and the allegation is not denied.")

Deering sought the Clerk's entry of default against McMorris and Jeffries after they failed to plead or otherwise defend in the action after being served. See Dkts. 33, 34. The Clerk

subsequently entered default against McMorris and Jeffries. See Dkts. 35, 36. Deering then filed this motion for default judgment.

The Court accordingly grants the motion for default judgment (Dkt. 86). The Court reserves judgment on the issue of damages.

SO ORDERED.

Dated: January 10, 2024
Detroit, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge